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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/804,818	03/19/2004	Patrick A. Tresco	

27189
PROCOPIO, CORY, HARGREAVES & SAVITCH LLP
530 B STREET
SUITE 2100
SAN DIEGO, CA 92101



CONFIRMATION NO. 7091

FORMALITIES LETTER



OC000000012842508

Date Mailed: 06/02/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
 - The line spacing on the specification, claims, or abstract is not 1 ½ or double spaced (see 37 CFR 1.52(b)).

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

08/04/2004 EFL0RES 00000080 10804818

01 FC:2051	65.00 OP
02 FC:2001	385.00 OP
03 FC:2202	153.00 OP

- Additional claim fees of \$153 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$603** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$153**
 - \$153 for 17 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

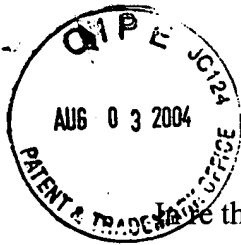
A copy of this notice MUST be returned with the reply.

S. Gorems

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent
109850-05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

Applicants: Patrick A. Tresco, et al.

Serial No.: 10/804,818

Filed: March 19, 2004

**For: IMPLANTABLE INTRAVASCULAR
DELIVERY DEVICE**

Group Art Unit: 3763

TRANSMITTAL OF MISSING PARTS

MAIL STOP MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

I. DOCUMENTS ENCLOSED:

In response to the **NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION UNDER 37 CFR § 1.53(b)**, which was mailed by the Patent Office on June 2, 2004, enclosed are:

- ☒ Utility Declaration and Power of Attorney
- ☒ Assignment of Patent Application to MICROISLET, INC. with PTO Form 1595
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(b)
- ☒ Substitute Specification, with corrected line spacing
- ☒ Return Postcard

CERTIFICATE OF MAILING

(37 C.F.R. §1.8)

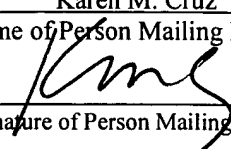
I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'First Class Mail' in an envelope addressed to Commissioner for Patents, MAIL STOP MISSING PARTS, P.O. Box 1450, Alexandria, VA 22313-1450.

July 30, 2004

Date of Deposit
111369.000001/454717.01

Karen M. Cruz

Name of Person Mailing Paper


Signature of Person Mailing Paper

II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 (a) apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 (a) [fees: 37 CFR § 1.16(e)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$210.00	\$420.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$740.00	\$1480.00
<input type="checkbox"/> five months	\$1005.00	\$2010.00

Fee \$0.00

- ☒ If any extension fee is required, please consider this a petition therefor.

III. FILING FEES

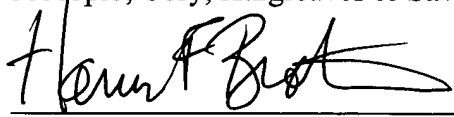
- ☒ Surcharge in the amount of \$65.00.
- ☒ Statutory Basic Filing Fee and additional claim fees in the amount of \$538.00.
- ☐ Assignment Recordation Fee in the amount of \$0.00

IV. METHOD OF PAYMENT OF FEES:

- ☐ Check in the amount of \$603.00 is enclosed to cover the above fee(s).
- ☐ Charge Procopio, Cory, Hargreaves & Savitch Deposit Account No. **50-2075** in the amount of \$0.00.
- ☒ The Commissioner is authorized to charge Procopio, Cory, Hargreaves & Savitch Deposit Account No. **50-2075** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by the checks enclosed herewith and to credit any overpayments to said Deposit Account No. **50-2075**.

Respectfully submitted,
Procopio, Cory, Hargreaves & Savitch, LLP

Dated: 30 July '04


Harris F. Brotman
Reg. No. 35,461

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